

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

Justine Moore,

Plaintiff,

v.

Merchants & Medical Credit Corporation,
Inc.,

Defendant.

Case No.:

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, defendant, Merchants & Medical Credit Corporation, Inc. (“MMCC”), hereby removes this action from the Court of Common Pleas located in Lackawanna County, Pennsylvania, to the United States District Court for the Middle District of Pennsylvania. In support of this Notice of Removal, MMCC states:

1. On or about September 15, 2021, plaintiff, Justine Moore (“plaintiff”), commenced a civil action in the Court of Common Pleas located in Lackawanna County, Pennsylvania, entitled and captioned *Justine Moore v. Merchants & Medical Credit Corporation, Inc.*, Case No. 21CV3944 (hereinafter the “State Court Action”). Upon information and belief, no further proceedings before the State Court have occurred.

2. In the Complaint, plaintiff alleges statutory causes of action against MMCC under the Fair Debt Collection Practices Act, (FDCPA), 15 U.S.C. § 1692, *et seq.* A true and correct copy of plaintiff’s Complaint, together with a copy of all process, pleadings and other documents served on MMCC, is attached hereto as **Exhibit A**.

3. Because plaintiff affirmatively alleges a cause of action arising under the laws of

the United States, the Complaint provides jurisdiction as a federal question under 28 U.S.C. § 1331 and is removable pursuant to 28 U.S.C. § 1441(a).

4. On September 20, 2021, MMCC was served with a copy of the Summons and Complaint.

5. The time within which MMCC is required by the laws of the United States, 28 U.S.C. § 1446(b), to file this notice of removal has not yet expired. This Notice of Removal is timely, having been filed within 30 days of the date on which MMCC was served with plaintiff's Complaint.

6. The Court of Common Pleas located in Lackawanna County, Pennsylvania, is located within the United States District Court for the Middle District of North Carolina. Therefore, venue for purposes of removal is proper because the United States District Court for the Middle District of North Carolina embraces the place in which the removed action was pending. 28 U.S.C. § 1441(a).

7. Written notice of this Notice of Removal of this action is being immediately provided to the Court of Common Pleas located in Lackawanna County, Pennsylvania. *See* **Exhibit "B"** attached hereto.

8. Written notice of this Notice of Removal of this action is also being sent to all counsel and parties of record.

WHEREFORE, defendant, Merchants & Medical Credit Corporation, Inc., gives notice that this action is removed from the Court of Common Pleas located in Lackawanna County, Pennsylvania, to the United States District Court for the Middle District of North Carolina.

Dated: October 7, 2021

Respectfully Submitted,

/s/ Charity A. Olson
Charity A. Olson
OLSON LAW GROUP
P.O. Box 64
Hartland, MI 48353
(734) 255-6908
colson@olsonlawpc.com

*Attorneys for Merchants & Medical Credit
Corporation, Inc.*

CERTIFICATE OF SERVICE

I, Charity A. Olson, hereby certify that on October 7, 2021, a copy of the foregoing Notice of Removal was filed via the Court's ECF system and served upon the following parties via U.S. First Class Mail using a postage pre-paid envelope addressed as follows:

Clerk of Judicial Records Lackawanna County Government Center 123 Wyoming Avenue, First Floor Scranton, PA 18503	Brett Freeman, Esq. Sabatini Freeman, LLC 216 N. Blakely St. Dunmore, PA 18512 <i>Attorneys for Justine Moore</i>
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Dated: October 7, 2021

Respectfully Submitted,

/s/ Charity A. Olson
Charity A. Olson
OLSON LAW GROUP
P.O. Box 64
Hartland, MI 48353
(734) 255-6908
colson@olsonlawpc.com